

# Notice of Allowability

Application No.

10/607,234

Examiner

Leigh C. Maier

Applicant(s)

MJALLI, ADNAN M.M.

Art Unit

1623

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 5-10 and 12.
3. ☐ The drawings filed on \_\_\_\_ are accepted by the Examiner. *(No Drawings)*
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/889,087.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

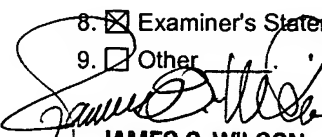
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/26/03, 4/7/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

  
**JAMES O. WILSON**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

Leigh C. Maier  
Examiner  
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## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group II, claims 5-10 and 12, in the reply filed on October 21, 2004 is acknowledged. All of the non-elected claims have been canceled. Accordingly, the restriction requirement is withdrawn.

### ***Information Disclosure Statement***

Several of the references listed on the form PTO-1449, filed June 26, 2003, have been crossed out. The documents provided do not include an abstract. They are citations along with some chemical structures, but no abstract. Therefore, the references, as described, have not been provided and therefore, not considered.

### ***Examiner's Amendment***

The title of the invention is not descriptive. An examiner's amendment to change the title appears below.

Amend the title as follows:

“Multicomponent [Method for the] synthesis of amino acids [compounds of formula 1] and derivatives thereof”

*Allowable Subject Matter*

Claims 5-10 and 12 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Step (i) of the instant process is a Ugi 5C-4CR reaction, well known in the art. See (1) Demharter et al (Angew. Chem. Int. Ed. Engl., 1996); (2) Ugi et al (Tet., 1996); or (3) Ugi et al (Heterocycles, 1998). These reactions provide the iminodicarboxylic acid derivatives of Formula 2. These reaction products are used as derivatives of natural products [reference (2)] or intermediates for the preparation of heterocyclic compounds [reference (3)]. The references do not teach or fairly suggest step (ii) of the method wherein the compound of formula 2 is subjected to hydrolysis and hydrogenation to provide an amino acid (different from the one used in the initial reaction). Keating et al (JACS, 1996) teach modifications of four-component Ugi reactions. However, these reaction products are  $\alpha$ -acylamino amides, not the iminodicarboxylic acid derivatives of Formula 2. The reference does not teach iminodicarboxylic acid derivatives or further processing of these compounds.

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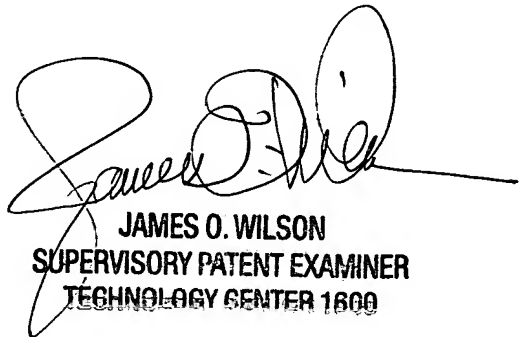
***Examiner's hours, phone & fax numbers***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leigh Maier whose telephone number is (571) 272-0656. The examiner can normally be reached on Tuesday, Thursday, and Friday 7:00 to 3:30 (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. James O. Wilson (571) 272-0661, may be contacted. The fax phone number for Group 1600, Art Unit 1623 is (703) 872-9306.

Visit the U.S. PTO's site on the World Wide Web at <http://www.uspto.gov>. This site contains lots of valuable information including the latest PTO fees, downloadable forms, basic search capabilities and much more.

Leigh C. Maier  
Patent Examiner  
January 21, 2005



**JAMES O. WILSON**  
**SUPERVISORY PATENT EXAMINER**  
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